

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 1, 1961

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 p.m. of Wednesday, March 1, 1961. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present; none absent.

Also present: City Manager Graves, Admin. Assist. Carlton, Planning Director Rodgers and City Attorney Mullen.

MINUTES Minutes of February 15, 1961 were approved as written and mailed on motion of Councilman Katzakian, Mitchell second.

PUBLIC HEARINGS

REMPFER
REZONING
APPEAL

Notice thereof having been published in accordance with law, the Mayor called for hearing on the appeal of Mr. Wm. E. Rempfer from the decision of the City Planning Commission in disapproving his request for rezoning from R-2 and R-3 residential to C-P commercial-professional office of lots on the north side of Lodi Avenue between California Street and Avena Avenue. Mr. Rempfer spoke in behalf of his request, asking for rezoning for the following reasons:

1. Out of 38 blocks along Lodi Avenue from Cherokee Lane to Ham Lane, 31 are zoned commercially and he considers it discriminatory not to permit additional commercial zoning along this street.
2. Lodi Avenue will be a four-lane road and is not suitable for residential usage, but commercial.
3. He is unable to get an FHA loan for his property on Lodi Avenue since it is not desirable residential property.
4. Lodi is a growing community and the residents in the area want to stop progress.

Mrs. Ethel Tweedy, 231 S. California Street, and Mr. Spiros Stathatos, 417 West Pine Street, spoke in favor of rezoning as they think Lodi Avenue should be commercial and the lots in question are not suitable for residences.

Mr. Robert H. Rinn, 820 W. Walnut Street, spoke against the rezoning, stating that the request for rezoning had been turned down several years ago, that Mr. Rempfer had recently purchased his lot as residential property and was now trying to convert it to commercial use. There is no need for this use which would encroach on the residential area. The rights of the property owners should be respected and Lodi Avenue should be a buffer zone between the commercial development on the south and the residential area on the north. Mr. W.M. Watson, 215 S. Avena, agreed with Mr. Rinn and also stated that if a real estate office were permitted on Mr. Rempfer's

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property there would develop traffic hazards because of cars backing in and out of the driveway. Mr. Malen Stroh, 220 S. Crescent Avenue, spoke against the rezoning, saying that he felt that everyone concerned was interested in the betterment of the community, but that commercial zoning of these lots would be detrimental, leading to eventual blighting of the area. The following people also spoke against the rezoning: Mr. Walter Rott, 225 S. Avena; Mr. Richard Colvin, 225 S. Crescent; Mr. Adelbert Gillespie, 224 S. Avena; and Mrs. Norval Gundershaug, 823 W. Lodi Avenue.

Communications favoring the rezoning were read from Mrs. Ethel B. Tweedy, 231 S. California Street, and Mr. Spiros Stathatos. Letters against the rezoning were read from the following: Mr. & Mrs. E.H. Hawkins, 227 S. Rose; Mr. & Mrs. Adelbert Gillespie, 224 S. Avena; Mrs. Thos. Woodhull, 212 S. Avena; Mr. & Mrs. Daniel M. Dean, 212 S. Crescent; Mrs. Richard Colvin, 225 S. Crescent; Mr. & Mrs. W.M. Watson, 215 S. Avena; Mr. & Mrs. Milton Staton, 220 S. Avena; Mr. & Mrs. G.G. Berger, 219 S. Rose; and Mr. & Mrs. Deran S. Dee, 211 S. Avena. The City Manager then read the report from the Planning Commission which gave points in favor of and against the proposed rezoning.

Mayor Culbertson stated that it was the duty of the Council to decide what was best for the City now and in the future. Councilman Katzakian felt that Lodi Avenue should be held as a buffer zone in order to retain the value of the residential area, that strip zoning would lead to blight and traffic problems and that if a mistake had been made in the past, that was no justification for making more mistakes. Mayor Culbertson stated that he was in favor of shopping centers where traffic could be controlled, that strip zoning would create traffic hazards and that the proposed rezoning would depreciate the value of the adjacent residences. Mr. Graves, speaking in behalf of the administration, stated that he had no personal interest in the proposed rezoning but wanted the City to develop in line with good planning and zoning principles and that strip zoning was not good planning. He cited the numerous problems that now confronted other areas that had strip zoning. He said that the purpose of zoning is to control land uses and not to have incompatible uses. Councilman Mitchell stated that strip zoning on Lodi Avenue should not be extended. Mayor Culbertson moved that the appeal of Mr. Rempfer for C-P zoning on the north side of Lodi Avenue between California and Avena Avenue be denied. The motion was seconded by Councilman Katzakian and carried by the following vote:

AYES: Councilmen - KATZAKIAN, MITCHELL and CULBERTSON

NOES: Councilmen - BROWN and ULLMANN

SUBD. ORD.
AMENDMENT

The Mayor then called for public hearing on the proposal to amend the Subdivision Ordinance which would require that a Record of Survey map be required for all minor subdivisions which are

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HEARING
CONTINUED

located outside of recorded subdivisions. Since members of the Council were not familiar with the proposed requirements, on motion of Councilman Katzakian, Mitchell second, the hearing was continued to the meeting of March 15 so that the Council could be informed of the proposed amendments.

DRIVEWAY AT
1324 S. PLEASANT

Mr. Emil Ernst, 1324 S. Pleasant Avenue, addressed the Council concerning his broken driveway and was told that the City Manager would look into the situation.

PLANNING COMMISSION

CPC OVERALL
PLANNING

The City Manager read Resolution No. 2424 prepared by the City Attorney instructing the City Planning Commission to limit one meeting a month to overall planning problems and requesting the Commission to submit a report thereon one year from this date. Resolution No. 2424 was adopted on motion of Councilman Brown, Ullmann second.

RES. NO. 2424
ADOPTED

COMMUNICATIONS

ABC LICENSES

The following notices of Application for Transfer of Alcoholic Beverage License:

1. On Sale Beer and Wine, Frank G. Poletti and Peter Nessi, Isle of Capri, 5 E. Elm St.
2. Off Sale Beer and Wine and Beer and Wine Wholesaler's, Wallace R. Spiekerman, Lodi Beverage Company, 21 N. Stockton Street.

REPORTS OF THE CITY MANAGER

CLAIMS

On motion of Councilman Katzakian, Brown second, claims were approved in the amount of \$192,083.88.

SPECS -
POLICE CARS

Specifications for four police cars were approved and call for bids authorized on motion of Councilman Katzakian, Brown second.

2-HR PARKING
ON LODI AVE.
AT SCHOOL ST.

City Manager Graves reported that Mr. Reuben Rott had requested that parking limits be established on Lodi Avenue between Sacramento and School Streets. After investigation, the Director of Public Works feels that 2-hour parking in front of Mr. Rott's newly constructed store building would suffice and so recommends. Councilman Mitchell moved that the Council adopt Resolution No. 2425 establishing a 2-hour parking zone on the south side of Lodi Avenue for approximately 80 feet east from the School Street intersection. The motion was seconded by Councilman Katzakian. Councilman Brown did not think it fair to establish limited parking in front of only one business establishment. The motion carried by the following vote:

RES. NO. 2425
ADOPTED

AYES: Councilmen - KATZAKIAN, MITCHELL,
ULLMANN and CULBERTSON

NOES: Councilmen - BROWN

MASTER
AGREEMENT
FUNDS FOR
CITY STREETS

RES. NO. 2426
ADOPTED

City Manager Graves then presented a master agreement from the State Division of Highways for the budgeting and expenditure of funds allocated from the State Highway Fund to cities for construction and maintenance on major city streets. The master agreement would eliminate the necessity of signing an agreement each time funds were budgeted. Councilman Mitchell, Brown second, moved the adoption of Resolution No. 2426 approving the agreement and authorizing its execution by the Mayor and Clerk. The motion passed by unanimous vote.

LIGHTING AT
SP-TOKAY ST.
XING AND-AT
HUTCHINS-
KETTLEMAN
INTERSECTION

The City Manager stated that the Director of Public Works was recommending the installation of lights to improve visibility at the Tokay Street crossing of the Southern Pacific Tracks and at the intersection of Hutchins Street and Kettleman Lane. The cost of two 400-watt Mercury Luminaires, including poles and wires, at the Tokay Street crossing is estimated at \$750 and the Southern Pacific Company has indicated its willingness to pay one-half of the cost. The Division of Highways has estimated the cost of similar lights at the Hutchins-Kettleman Lane intersection as being \$1200 of which the City would pay one-fourth. The City Manager recommended that the lights be installed at both locations and Councilman Brown, Katzakian second, moved that funds be authorized for installation of lights at the Southern Pacific-Tokay Street crossing and at the intersection of Hutchins Street and Kettleman Lane. Motion carried.

STREET TREES
POLICY

City Manager Graves said he would like to have the policy of the City concerning street trees clarified and he also suggested that a Citizens Committee be appointed to study what the City wants. He said that if a street tree ordinance were adopted, it would provide the administration with regulations needed to carry out City policy. Mr. Graves stated that the present policy is to take out trees that the Director of Public Works determines are bad and should be removed, but any tree that the property owner wants removed is examined by the Director of Public Works and if he feels the tree is deteriorating but doesn't need to be removed at present, the tree may be removed at the property owner's expense. Otherwise the tree is to remain until the City considers it necessary to remove it. Councilman Katzakian moved that this policy of removing trees be reindorsed. The motion was seconded by Councilman Mitchell and carried.

CLEAN UP
WEEK

Mr. Graves reported that the ^{Civic} ~~Pacific~~ Affairs Committee was endorsing "Clean up, Fix up, Paint Up Week" for one week in March and that as part of the program the Committee wanted volunteers to paint the Lodi Arch providing the City would furnish the paint. Mr. Graves said the concrete block buildings at the corporation yard and some of the park restrooms needed painting also and that \$200 should cover the cost of paint needed. He stated that some of the City employees had volunteered their services for picking up trash on Saturday and Sunday of that week providing they were permitted to use City equipment. Councilman Katzakian said it was a nice project and

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moved that funds be approved to purchase the paint required and that use of City equipment be authorized. The motion was seconded by Councilman Brown and carried. Councilman Mitchell, Brown second, moved that a letter be written to the City Employees commending them for their offer to assist in this project. Motion carried.

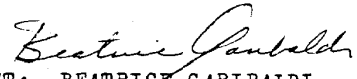
PROPERTY
EXCHANGE
DISPOSAL
PLANT AREA

A sketch showing a proposed exchange of property between the City and Mr. Maurice O. Ray, Jr., was presented by the City Manager. The property involved is north of the Sewage Treatment Plant. Mr. Graves recommended that the City exchange its northerly 4.365 acres for Mr. Ray's southerly 4.143 acres. Such action would benefit both parties since it would "square off" the City's property so that it would be more usable as a City park and at the same time it would give Mr. Ray property that would be more suitable for a subdivision than his present site, which could develop into a blighted area. On motion of Councilman Katzakian, Mitchell second the City Council authorized the City Manager to proceed with the exchange of properties as outlined by the City Manager. Councilman Katzakian then moved that the City Attorney be authorized to file suit if necessary to quiet title against a Mr. McSherry for a 20' roadway running north and south from Kettleman Lane through the above mentioned properties. Motion was seconded by Councilman Brown and carried.

AMY BOYNTON
1960 SAFETY
WOMAN

Mayor Culbertson stated he was proud to announce that Miss Amy Boynton, City Librarian, had been appointed Safety Woman of 1960 by the San Joaquin County Safety Council. Councilman Katzakian, Ullmann second, moved that a letter of congratulations be sent to Miss Boynton. Motion carried.

The Council then adjourned.


ATTEST: BEATRICE GARIBALDI
City Clerk